

Attorney Docket No. P28994

Application Number 10/561,040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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Applicant(s) : Atsushi MIYAWAKI et al.

Group Art Unit: 1656

Appln. No. : 10/561,040  
(U.S. National Stage of PCT/JP04/08790)

Examiner: Not Yet Assigned

I.A. Filed : June 16, 2004

Confirmation No. : 3808

For : FLUORESCENT PROTEIN

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and §§ 1.97-1.98, and supplemental to the Information Disclosure Statements that were previously filed on October 17, 2006, and February 7, 2007, Applicants hereby bring to the attention of the Examiner a European Search Report dated March 9, 2007, with respect to patent family member European Patent Application No. 04746259, in which the following documents were cited:

- (1) GURSKAYA et al., "Color transitions in coral's fluorescent proteins by site-directed mutagenesis," *BMC Biochemistry*, Vol. 2, No. 6, July 10, 2001, (7 pages);
- (2) LABAS et al., "Diversity and evolution of the green fluorescent protein family," *Proceedings of the National Academy of Sciences U.S.A.*, Vol. 99., No. 7, April 2, 2002, pages 4256-4261;

- (3) YANG et al., "The molecular structure of green fluorescent protein," *Nature Biotechnology*, Vol. 14, No. 10, October 1996, pages 1246-1251;
- (4) MATZ et al., "Family of the green fluorescent protein: journey to the end of the rainbow," *BioEssays*, Vol. 24, 2002, pages 953-959;
- (5) MIYAWAKI, "Green Fluorescent Protein-like Proteins in Reef Anthozoa Animals," *Cell Structure and Function*, Vol. 27, 2002, pages 343-347;
- (6) CAMPBELL et al., "A monomeric red fluorescent protein," *Proceedings of the National Academy of Sciences U.S.A.*, Vol. 99, No. 12, June 11, 2002, pages 7877-7882;
- (7) MATZ et al., "Fluorescent proteins from nonbioluminescent Anthozoa species," *Nature Biotechnology*, Vol. 17, No. 10, October 1999, pages 969-973; and
- (8) FRADKOV et al., "Novel fluorescent protein from *Discosoma* coral and its mutants possesses a unique far-red fluorescence," *FEBS Letters*, Vol. 479, No. 3, August 18, 2000, pages 127-130.

The relevance of these documents, as ascertained with respect to the European claims by the European Examiner, is set forth in the EP Search Report.

Copies of the above-noted documents are attached hereto, and are listed on the attached PTO-1449 Form. A copy of the European Patent Search Report is also attached hereto. The Examiner is requested to initial the appropriate spaces on the attached Form and to return a copy of the completed Form to Applicants with the next official communication in the present application.

Applicants note that an Office Action on the merits has not issued in the present application, and thus no fee is believed necessary to ensure consideration of the submitted

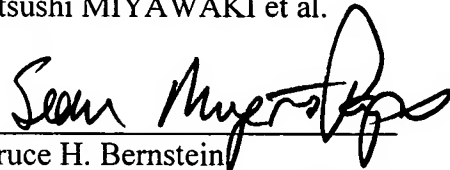
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material. However, if an Office Action on the merits has issued and is crossing this statement in the mail, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 19-0089 any fee necessary to ensure consideration of the submitted materials.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Atsushi MIYAWAKI et al.

  
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January 8, 2008  
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